

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:19-CV-015-KDB-DCK**

**D.R. HORTON, INC., TRUE HOMES, LLC,  
CALATLANTIC GROUP, INC., STANDARD  
PACIFIC OF THE CAROLINAS, LLC,  
WEEKLEY HOMES, LLC, SHEA BUILDERS,  
LLC, D.R. HORTON-REGENT, LLC, LENNAR  
CAROLINAS, LLC, SHEA HOMES, LLC, M/I  
HOMES OF CHARLOTTE, LLC,**

**Plaintiffs,**

**v.**

**CITY OF CHARLOTTE,**

**Defendant.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** regarding the status of the case. The undersigned notes that this case was reassigned to the Honorable Kenneth D. Bell on June 14, 2019, and that “Defendants’ Motion for Judgment On The Pleadings” (Document No. 21) was referred to the undersigned on June 20, 2019. The pending motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b), and is now ripe for disposition.

In preparing a “Memorandum And Recommendation” on the pending motion, the undersigned finds that a Status Report may assist the Court’s consideration. In particular, the undersigned is interested in the status and progress of the related state court action, and an update on the parties’ position(s) on how that case impacts this case.

In addition, the undersigned notes that the parties filed a “Certification And Report Of F.R.C.P. 26(f) Conference And Discovery Plan” (Document No. 25) on March 15, 2019. Unfortunately, most of the deadlines proposed by the parties are now stale. As such, the

undersigned will direct the parties to file proposed revised deadlines that assume for now that the pending motion will be decided by November 2019.

Consistent with Judge Bell's case management expectations, the undersigned will also direct the parties to discuss the possibility of settlement and include the result of those efforts in their Status Report(s). See In Re: Standing Order Requiring An Initial Settlement Conference In Civil Cases..., 5:19-MC-005-KDB (Document No. 2) (W.D.N.C. July 16, 2019)

**IT IS, THEREFORE, ORDERED**, that the parties shall file a Status Report, jointly if possible, on or before **October 11, 2019**. The Status Report should include: (1) an update on the related state court action; (2) proposed revised case deadlines; and (3) a report on the result of early settlement discussions.

**SO ORDERED.**

Signed: October 2, 2019

  
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David C. Keesler  
United States Magistrate Judge

